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OCT 12 2007

OFFICE OF PETITIONS

In re Application of
Smith
Application No. 09/712,302
Filed: November 14, 2000
Attorney Docket No. ARIBP059
For: METHOD AND APPARATUS TO
PERFORM BUY VERSUS LEASING
TRANSFORMATIONAL BIDDING

ON PETITION

This is a decision on the petition, filed June 14, 2007 (certificate of mailing date June 8, 2007), under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to timely submit a reply within three (3) months of the mailing of the September 26, 2006 non-final Office action. No response being received and no extensions of time being obtained under the provisions of 37 CFR 1.136(a), this application became abandoned on December 27, 2006. A Notice of Abandonment was mailed on April 10, 2007.

Applicant has submitted an amendment in reply to the September 26, 2006 non-final Office action, an acceptable statement of the unintentional nature of the delay in responding to the September 26, 2006 non-final Office action, and the \$1,500.00 petition fee.

Regarding the statement of delay: The statement of unintentional delay was not signed by a person who would have been in a position of knowing that the delay in filing a timely response was unintentional. In the event that practitioner has no knowledge that the delay was in fact unintentional, practitioner should make a reasonable inquiry to ascertain that, in fact, the delay was unintentional. If practitioner discovers that the delay was intentional, practitioner must so notify the Office.

All of the requirements under 37 CFR 1.137(b) being met, the petition is granted.

After the mailing of this decision, the application will be returned to Technology Center AU 3691 for consideration of the amendment filed on June 14, 2007 (certificate of mailing date June 8, 2007).

Telephone inquiries should be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley
Senior Petitions Attorney
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy